




# State of Wisconsin


LEGISLATIVE REFERENCE BUREAU


## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**


Date Transfer Requested: 02/06/2014 (Per: TKK)

### **Compile Draft – Appendix D**

**Appendix A**  The 2013 drafting file for LRB-3680

**Appendix B**  The 2013 drafting file for LRB-3682

**Appendix C**  The 2013 drafting file for LRB-3683

**Appendix D**  The 2013 drafting file for LRB-3684

has been copied/added to the drafting file for

**2013 LRB-4217**

**2013 DRAFTING REQUEST**

**Bill**

Received: 11/20/2013 Received By: jkuesel  
Wanted: Today Same as LRB:  
For: Jill Billings (608) 266-5780 By/Representing: Kathy Divine  
May Contact: Drafter: tkuczens  
Subject: Ethics Addl. Drafters:  
Extra Copies: jk, jtk

Submit via email: YES  
Requester's email: Rep.Billings@legis.wisconsin.gov  
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Apply standards of conduct to officials-elect

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**Instructions:**

Per attached E mail, 11/12/13, # 5.

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**Drafting History:**

| <u>Vers.</u> | <u>Drafted</u>         | <u>Reviewed</u>        | <u>Typed</u>           | <u>Proofed</u> | <u>Submitted</u>    | <u>Jacketed</u> | <u>Required</u> |
|--------------|------------------------|------------------------|------------------------|----------------|---------------------|-----------------|-----------------|
| /?           | tkuczens<br>12/19/2013 |                        |                        |                |                     |                 |                 |
| /1           |                        | csicilia<br>12/19/2013 | rschluet<br>12/19/2013 |                | srose<br>12/19/2013 |                 |                 |

FE Sent For:

<END>

**2013 DRAFTING REQUEST**

**Bill**

Received: **11/20/2013** Received By: **jkuesel**  
Wanted: **Soon** Same as LRB:  
For: **Jill Billings (608) 266-5780** By/Representing: **Kathy Divine**  
May Contact: Drafter: **jkuesel**  
Subject: **Ethics** Addl. Drafters:  
Extra Copies:

Submit via email: **YES**  
Requester's email: **Rep.Billings@legis.wisconsin.gov**  
Carbon copy (CC) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Apply standards of conduct to officials-elect

**Instructions:**

Per attached E mail, 11/12/13, # 5.

**Drafting History:**

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /?           | jkuesel        | 1/12/13         | 12/19/13     |                |                  |                 |                 |

FE Sent For:

<END>

## Kuesel, Jeffery

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**From:** Divine, Kathy  
**Sent:** Tuesday, November 12, 2013 11:27 AM  
**To:** Kuesel, Jeffery  
**Subject:** Drafting Request

Hi Jeff,

I have several bill draft requests for Rep. Billings, based on research/work we have done for the Constitution and Ethics committee. We would want these each to be drafted as separate bills—although #3 and #4 might be better to combine.

Some of these suggestions came from an unofficial 2002 document from the GAB. I've included this memo in case there are specifics or clarifications that might be useful to you in drafting.

If you have any questions, please let me know.

Thanks,

Kathy

### **1. Codify Requirements for Ethics Training for Legislators**

Require a member of the Legislature to complete two hours of ethics training administered by GAB before the oath of office is administered to the member. (This was included in the sub for AB 225, but we would like to draft a separate bill).

### **2. Integration of Ethics Code and lobbying law**

*Source: GAB 2002 Suggestions*

Reorganize Ethics Code and lobbying law into one statute consisting of the following parts:

- Definitions
- Reporting of financial interests by public officials
- Registration, licensing, and reporting by lobbyists and principals
- Standards of conduct for public officials, lobbyists, and principals
- Administrative matters.

### **3. Filing Statements of Economic Interests**

*Source: GAB 2002 Suggestions (Sec. D)*

- Change filing date from April 30 to February 28.
- Require officials leaving state government to file within 21 days unless the official has filed a statement within 6 months.
- Require a filing within 21 days of nomination or appointment for the first time, and then annually on February 28. (Takes care of multiple filing issue; does not affect candidate filing dates).
- Redraft language concerning due date for candidates to require filing with nomination papers with an automatic 3 day grace period.

- Require listing of financial holdings, associated organizations, and creditors for entire year, not just on a specific date; filer should indicate interests still held as of filing date.
- Better define filing requirement for VTAE assistant, etc. directors.

#### **4. Contents of Statements of Economic Interests**

*Source: GAB 2002 Suggestions*

- **If** an official, or a member of an official's immediate family either (1) owns or controls 5% or more of a business, or (2) owns securities in a business valued at \$25,000 or more, or (3) is an employee of a business, **then** the official should identify the twenty entities from which the business receives the largest amounts of its income (of at least \$1,000), **unless** the business in which the official owns an interest or by which it is employed is a business whose securities are publicly traded.
- Eliminate requirement to identify savings accounts, money market funds, mutual funds, certificates of deposit, and the like.
- Require the identification of persons who owe an official \$5,000 or more (other than relatives).
- Require the identification of persons for whom an official is a guarantor of a loan over \$5,000 (other than relatives) and the lenders of such loans.

#### **Apply Ethics Code's Standards of Conduct to Officers-Elect**

*Source: GAB 2002 Suggestions (#15)*

The law currently applies to individuals elected to office only after they have assumed office. Apply the Ethics Code's standards of conduct to individuals upon their election to office.

#### **Apply Lobbying Law's Standards of Conduct to Officers-Elect**

*Source: GAB 2002 Suggestions*

The lobbying law currently applies to individuals elected to office only after they have assumed office. Apply the lobbying law's prohibited practices provisions to individuals upon their election to office.



58Recomendati...

Kathy Divine  
Office of State Representative Jill Billings  
Assembly District 95  
State Capitol – 307W  
608-266-5780  
888-534-0095  
[kathy.divine@legis.wisconsin.gov](mailto:kathy.divine@legis.wisconsin.gov)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-36842/

TKK:.....

gis RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

12/19/13

soon

Gen Cat

- 1 AN ACT/...; relating to: making code of ethics applicable to state public  
2 officials-elect.

***Analysis by the Legislative Reference Bureau***

Under current law, state public officials are subject to a Code of Ethics for State Public Officials and Employees. Current law defines a state public official to include both individuals appointed to their office, such as persons appointed by the governor, and individuals elected into office, including the governor, state supreme court justices, and members of the state assembly and state senate. The code of ethics includes standards of conduct to guide the official in taking actions while in office. Under the code of ethics, for example, state public officials are generally prohibited from taking official actions substantially affecting a matter in which the official or his or her family or an organization with which the official is associated has a substantial financial interest. The code of ethics also prohibits state public officials from accepting any transportation, lodging, meals, food, or beverage, except as expressly authorized by law.

This bill extends coverage of the code to apply to individuals whose names are certified as having won election to office and who qualify to assume office but who have not yet assumed office.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           SECTION 1. 19.42 (14) of the statutes is amended to read:

2           19.42 (14) "State public official" means any individual ~~holding~~ who holds a  
3           state public office or any individual whose name is certified under s. 7.70 (3) (g) as  
4           having been elected to and who qualifies to assume a state public office but who has  
5           not assumed that office whose term of

6           History: 1973 c. 90; Stats. 1973 s. 11.02; 1973 c. 333; 1973 c. 334 ss. 33, 57; Stats. 1973 s. 19.42; 1977 c. 29, 223, 277; 1977 c. 447 ss. 35, 209; 1979 c. 34, 177, 221; 1981  
c. 20, 269, 349, 391; 1983 a. 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 166 ss. 1 to 4, 16; 1983 a. 484, 538; 1985 a. 26; 1985 a. 29 s. 3202 (46); 1985 a. 304; 1987 a. 72, 119;  
1987 a. 312 s. 17; 1987 a. 340, 365, 399, 403; 1989 a. 31, 338; 1991 a. 39, 189, 221, 269; 1993 a. 16, 263, 399; 1995 a. 27, 56, 274; 1997 a. 27; 1997 a. 237 ss. 19m, 722q; 1997  
a. 298; 1999 a. 42, 65; 2001 a. 16, 104, 109; 2003 a. 39; 2005 a. 335; 2007 a. 1, 20, 196; 2009 a. 28; 2011 a. 7, 10, 32, 229; 2013 a. 20.

(END)

has not yet commenced



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-3684/1

TKK:cjs:rs

## 2013 BILL

- 1 AN ACT *to amend* 19.42 (14) of the statutes; **relating to:** making code of ethics  
2 applicable to state public officials-elect.

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***Analysis by the Legislative Reference Bureau***

Under current law, state public officials are subject to a Code of Ethics for Public Officials and Employees. Current law defines a state public official to include both individuals appointed to their office, such as persons appointed by the governor, and individuals elected into office, including the governor, state supreme court justices, and members of the state assembly and state senate. The code of ethics includes standards of conduct to guide the official in taking actions while in office. Under the code of ethics, for example, state public officials are generally prohibited from taking official actions substantially affecting a matter in which the official or his or her family or an organization with which the official is associated has a substantial financial interest. The code of ethics also prohibits state public officials from accepting any transportation, lodging, meals, food, or beverages, except as expressly authorized by law.

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# BILL

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having been elected to and who qualifies to assume a state public office but whose  
term of office has not yet commenced.

6 (END)